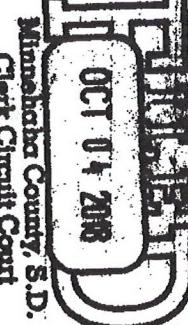


10-2-18

File #

17-2543



Dear Judge Langard,

On behalf of myself, I, Marcus Terrell Bethany, would like to withdraw from a plea I recently entered. To my understanding, I am not bound to the agreement in which I am able to withdraw from at any time up until sentencing. There are several reasons pertaining to my request for withdrawal. These reasons are based upon misrepresentation and ineffective assistance of counsel. I disagree and I am strongly unsatisfied with the agreement, I would not like to give up my right to cross-examine the witness and I demand a trial. I've currently been held in custody nearly eighteen months and after all this time along with about ten plus resets, I have continuously asked to have a trial. Instead, under the guidance of counsel, I have repeatedly been advised to take a plea when I disagree with the allegations made against me.

On Friday September 28, 2018... Under pressure, frustration and fear, I entered a plea that I highly feel was unjust. To my knowledge I do agree and understand the "presumption of innocence" under (SDCL 23A-22-3) and would like to make light of this in a court of trial.

Thank you,
- Marcus Bethany -